

AO 91 (Rev. 08/09) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

United States of America  
v.  
Joshua VILLARREAL  
YOB: 1991 COB: United States

Case No. M-19-2674-M

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 10/28/2019 in the county of Hidalgo in the  
Southern District of Texas, the defendant(s) violated:

Code Section

Offense Description

18 USC 922(g)(1)

Possession of a firearm or ammunition, which has affected interstate commerce, by an individual having been convicted of a felony

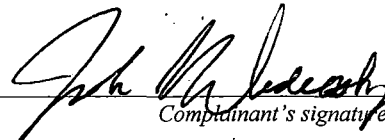
This criminal complaint is based on these facts:

See Attachment A.

☒ Continued on the attached sheet.

Approved:

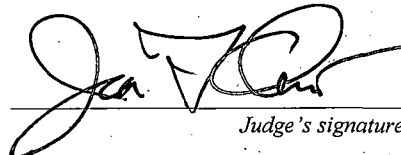
Robert Wells 1 Asst  
10/30/2019

  
Complainant's signature

Joshua Wedesky - ATF Special Agent  
Printed name and title

Sworn to before me and signed in my presence.

Date: 10/31/19 - 11:27 A.M.

  
Judge's signature

City and state: McAllen, Texas

U.S. Magistrate Juan Alanis  
Printed name and title

ATTACHMENT A

I, Special Agent Joshua Wedesky, affiant, do hereby depose and state the following:

I am a Special Agent of the United States Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF). I have been a law enforcement officer since March 2015.

My duties include the investigation of violations of Federal firearms laws. I know it to be unlawful for any person who has been convicted of a crime punishable by more than one year in prison to possess a firearm or ammunition that has affected interstate or foreign commerce.

1. On Monday, October 28, 2019, your affiant received information from Edinburg Police Department investigators that Joshua VILLARREAL (hereinafter referred to as VILLARREAL) was arrested that day for Possession of Marijuana. Also on October 28, 2019 after VILLARREAL was arrested, Edinburg Police Department investigators executed a State search warrant at the residence of VILLARREAL, located in Edinburg, Texas. During the execution of the State search warrant, Edinburg Police Department investigators located sixty (60) rounds of 5.56 caliber ammunition, thirty-three (33) rounds of 40 Smith and Wesson caliber ammunition, and twenty-two (22) rounds of 9 millimeter caliber ammunition in a workout room inside of the residence.

2. On Tuesday, October 29, 2019, your affiant, along with an Edinburg Police Department investigator, conducted a custodial interview of VILLARREAL. After being advised of his Miranda Rights, VILLARREAL waived those rights and agreed to speak with investigators. VILLARREAL stated during the interview that he had received the ammunition from an unidentified friend approximately one

ATTACHMENT A

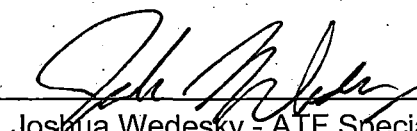
and one half year prior, and VILLARREAL had kept the ammunition at his residence. VILLARREAL also admitted that he was a convicted felon and knew that he could not possess firearms. VILLARREAL stated that he had previously went to prison two (2) separate times after being convicted for Aggravated Assault and Possession of a Controlled Substance.

3. A criminal history query revealed that VILLARREAL has multiple felony convictions, to include the following felony conviction:

- May 5, 2010, convicted of Aggravated Assault (Second Degree Felony) in the 92nd Judicial District of Hidalgo County, Texas (Case No. CR-1179-10-A, Count Two).

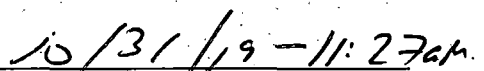
Judgment of conviction documentation has been obtained confirming the felony conviction for VILLARREAL. This felony conviction shows that VILLARREAL was convicted of a crime punishable for up to a year or more in prison.

4. ATF Interstate Nexus Expert Carlos Delgado was contacted for verbal Interstate Nexus determination on the ammunition that was located inside the residence. The ATF Interstate Nexus Expert determined that the ammunition was found to be manufactured outside of the state of Texas and affects interstate or foreign commerce. The ammunition is involved in a violation of 18 USC § 922(g)(1).

  
Joshua Wedesky - ATF Special Agent

Sworn to before me and subscribed in my presence,

  
U.S. Magistrate Juan Alanis

  
October 31, 2019